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EXAMINER

YOUNG, JOHN L

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/635,778

Applicant(s)
Goldschlag et al.

Examiner
John Young

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jul 12, 2002
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on Aug 11, 2000 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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Drawings

1. This application has been filed with drawings that are acceptable for examination and publication purposes. The review process for drawings that are included with applications on filing has been modified in view of the new requirement to publish applications at eighteen months after the filing date of applications, or any priority date claimed under 35 U.S.C. §§119, 120, 121, or 365.

CLAIM OBJECTIONS—37CFR 1.75

2. **OBJECTION WITHDRAWN.**

NONSTATUTORY DOUBLE PATENTING

3. As per claims 1-27 subject to obviousness-type double patenting rejections, a terminal disclaimer is acknowledged and will be forwarded to the Special Program Examiner (SPRE) in TC 3600 for processing.

JOINT INVENTORS, COMMON OWNERSHIP PRESUMED

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was

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made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

CLAIM REJECTIONS — 35 U.S.C. §103(a)

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kilian 5,495,532 (02/27/1996) (herein referred to as "Kilian").

As per claim 1, Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 1.

Kilian lacks an explicit recitation of "blinded unvalidated vote certificate to be

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validated. . . .” It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) would have been selected in accordance with “blinded unvalidated vote certificate to be validated. . . .” because such selection would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 2, Kilian shows the method of claim 1.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 2.

Kilian lacks an explicit recitation of the “voter acknowledging that the voter has received the registration response message. . . .” limitations of claim 2.

“Official Notice” is taken that both the concept and the advantages of “voter acknowledging that the voter has received the registration response message. . . .” limitations were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include “voter acknowledging that the voter has received the registration response message. . . .” limitations in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be

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performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 3, Kilian shows the method of claim 1.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 3.

Kilian lacks an explicit recitation of the “nonce” element of claim 3.

“Official Notice” is taken that both the concept and the advantages of a “nonce” element were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include a “nonce” element in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 4, Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 4.

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Kilian lacks an explicit recitation of a “blinding factor applied to the nonce” element in the method of Kilian. It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) would have been selected in accordance with a “blinding factor applied to the nonce. . . .” because such selection would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 5, Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 5.

Kilian lacks an explicit recitation of a “blinded unvalidated vote certificate to be validated. . . .” limitation in the method of Kilian. It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) would have been selected in accordance with a “blinded unvalidated vote certificate to be validated. . . .” because such selection would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of

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individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 6, Kilian shows the method of claim 5.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 6.

Kilian lacks an explicit recitation of the “vote certificate indicates a yes or a no vote” limitation of claim 6.

“Official Notice” is taken that both the concept and the advantages of the “vote certificate indicates a yes or a no vote” limitation were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include a “nonce” element in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 7, Kilian shows the method of claim 5.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 7.

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Kilian lacks an explicit recitation of the “parity of the certificate indicates a yes or a no vote” limitation of claim 7.

“Official Notice” is taken that both the concept and the advantages of the “parity of the certificate indicates a yes or a no vote” limitation were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include a “parity of the certificate indicates a yes or a no vote” limitation in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 8, Kilian shows the method of claim 5.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 8.

Kilian lacks an explicit recitation of the “acknowledging that the transaction response recipient has received the voting transaction response message” limitation of claim 8.

“Official Notice” is taken that both the concept and the advantages of the “acknowledging that the transaction response recipient has received the voting transaction response message” limitation were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include “acknowledging that the

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transaction response recipient has received the voting transaction response message” limitation in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 9, Kilian shows the method of claim 5.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 9.

Kilian lacks an explicit recitation of the “storing the voting transaction request message and the voting transaction response message in a recovery database. . . .” limitations of claim 9.

“Official Notice” is taken that both the concept and the advantages of the “storing the voting transaction request message and the voting transaction response message in a recovery database. . . .” limitations were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include “storing the voting transaction request message and the voting transaction response message in a recovery database. . . .” limitations in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

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As per claim 10, Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 10.

Kilian lacks an explicit recitation of a “nonce” element in the method of Kilian. It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) would have been selected in accordance with a “nonce. . .” because such selection would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 11, Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 11.

Kilian lacks an explicit recitation of a “blinded unvalidated vote certificate to be validated. . .” element in the method of Kilian. It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) would have been selected in

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accordance with a “blinded unvalidated vote certificate to be validated. . . .” element because such selection would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 12, Kilian shows the method of claim 11.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 12.

Kilian lacks an explicit recitation of the “vote audit response data” limitation of claim 9.

“Official Notice” is taken that both the concept and the advantages of the “vote audit response data” limitation were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include the “vote audit response data” limitation in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

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Claim 13 is rejected for substantially the same reasons as claim 1.

As per claim 14, Kilian shows the method of claim 11.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 14.

Kilian lacks an explicit recitation of “wherein the certificate indicates a yes or no vote.”

“Official Notice” is taken that both the concept and the advantages of “wherein the certificate indicates a yes or no vote” limitation were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include “wherein the certificate indicates a yes or no vote” limitation in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

Claim 15 is rejected for substantially the same reasons as claim 5.

Claim 16 is rejected for substantially the same reasons as claim 6.

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Claim 17 is rejected for substantially the same reasons as claim 11.

As per claim 18, Kilian shows the method of claim 17.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 18.

Kilian lacks an explicit recitation of “wherein the certificate indicates a yes or no vote.”

“Official Notice” is taken that both the concept and the advantages of “wherein the certificate indicates a yes or no vote” limitation were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include “wherein the certificate indicates a yes or no vote” limitation in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

Claim 19 is rejected for substantially the same reasons as claim 10.

As per claim 20, Kilian shows the method of claim 19.

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Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 20.

Kilian lacks an explicit recitation of “wherein the parity of the certificate indicates a yes or no vote.”

“Official Notice” is taken that both the concept and the advantages of “wherein the parity of the certificate indicates a yes or no vote. . . .” limitation were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include “wherein the parity of the certificate indicates a yes or no vote. . . .” limitation in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

Claim 21 is rejected for substantially the same reasons as claim 1.

Claim 22 is rejected for substantially the same reasons as claim 5.

Claim 23 is rejected for substantially the same reasons as claim 11.

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Claim 24 is rejected for substantially the same reasons as claim 15.

As per claim 25, Kilian shows the method of claim 24.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 25.

Kilian lacks an explicit recitation of “auditing an electronic voting transaction.”

“Official Notice” is taken that both the concept and the advantages of “auditing an electronic voting transaction. . . .” limitation were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include “auditing an electronic voting transaction. . . .” limitation in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 26, Kilian shows the method of claim 24.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 26.

Kilian lacks an explicit recitation of “initializing a series of electronic voting

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transactions.”

“Official Notice” is taken that both the concept and the advantages of “initializing a series of electronic voting transactions. . . .” limitation were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include “initializing a series of electronic voting transactions. . . .” limitation in the method of Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

As per claim 27, Kilian shows the method of claim 24.

Kilian (FIG. 8; FIG. 9; col. 1, ll. 27-64; col. 3, ll. 3-15; col. 11, ll. 15-30; col. 11, ll. 3-13; col. 11, ll. 32-67; FIG. 1; FIG. 2; FIG. 4; FIG. 5; FIG. 6; and FIG. 7) shows elements that suggest the elements and limitations of claim 26.

Kilian lacks an explicit recitation of “comparing means for recovering from an interruption in an electronic voting transaction.”

“Official Notice” is taken that both the concept and the advantages of “comparing means for recovering from an interruption in an electronic voting transaction. . . .” limitation were well known and expected in the art by one of ordinary skill at the time of the invention. It would have been obvious to include “comparing means for recovering from an interruption in an electronic voting transaction. . . .” limitation in the method of

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Kilian because such inclusion would have provided means for “secure electronic, voting . . . to enable secret votes to be performed electronically where the votes of individual voters are unknown and where the votes of individual voters are unknown and where the election results are tamper-proof. . . .” (See Kilian (col. 2, ll. 39-45)).

RELEVANT PRIOR ART

6. The prior art references made of record and not relied upon are considered pertinent to Applicant's disclosure:

Bruce Schneier. APPLIED CRYPTOGRAPHY: Protocols, Algorithms, and Source code in C 2d. (New York: John Wiley & Sons, Inc. 1996) pp. 66; and 126-127. This reference discusses voting with blind signatures and nonce verification (ref. claims 1-27).

CONCLUSION

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Any response to this action may be sent via facsimile to either:

(703)305-7687 (for formal communications EXPEDITED PROCEDURE) or

(703) 305-7687 (for formal communications marked AFTER-FINAL) or

Serial Number: 09/635,778 (Goldschlag et al.)

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(703) 746-7240 (for informal communications marked PROPOSED or DRAFT).

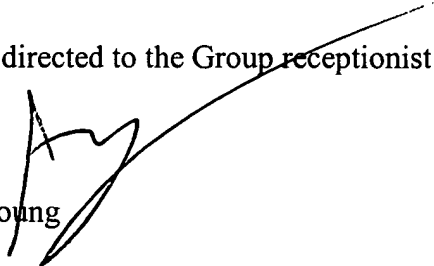
Hand delivered responses may be brought to:

Seventh Floor Receptionist
Crystal Park V
2451 Crystal Drive
Arlington, Virginia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Young who may be reached via telephone at (703) 305-3801. The Examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

If attempts to reach the Examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.


John L. Young

Patent Examiner

Partial Signatory Authority

November 18, 2002